

Serial No.: 10/672,641

Attorney Docket No.: 2003P08214US

REMARKS

Upon entry of the instant Amendment, Claims 1-32 are pending. Claims 1, 9, 15, and 24 have been amended to more particularly point out Applicants' invention. Claims 11 and 16 have been canceled. Claims 12-14 and 17 have been amended to update dependencies. The Specification has been amended to provide serial numbers for related cases. No new matter has been added.

The drawings were objected to as being informal. Applicants respectfully submit that formal drawings were submitted in this case in September 2004. As such, the basis for the objection is obviated.

Claims 1-3, 5, 7-18, and 24 have been rejected under 35 U.S.C. 102(e) as being anticipated by Knauerhase et al., U.S. Patent Publication No. 2003/0104819 A1 ("Knauerhase"). In order for there to be anticipation, each and every element of the claimed invention must be present in a single prior reference. Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Knauerhase. As described in the Specification, aspects of the present invention relate to a telecommunications system including a plurality of network clients including a positioning controller and a communications controller; and a positioning server including a coordinating controller for maintaining a database of network clients to be tracked and provide updates of position-related information to a presence server. The plurality of network clients are configured to transmit position information received via the positioning controller to the positioning server using the communications controller. In certain embodiments of the present invention, the position information is received from a global positioning system. In certain embodiments, a user can define one or more geographical areas for association with the location-presence rules through use of a mapping engine.

Thus, claim 1 has been amended to recite "the presence server defining one or more associated location/presence correlation pairs defining a geographical area and corresponding presence status; wherein a presence status is maintained if the network client is within the borders of the geographical area; and a mapping engine for defining the geographical area;" claim 9 has been amended to recite "wherein the

Serial No.: 10/672,641

Attorney Docket No.: 2003P08214US

telecommunications device includes a rules database and is configured to receive one or more location-presence correlation rules for storing in the rules database from a user mapping engine;" claim 15 has been amended to recite "a first interface for receiving predefined presence-location correlation rules from associated users, said rules including a geographical area defined by a mapping engine;" and claim 24 has been amended to recite "generating one or more user positioning and presence correlation rules, said generating including defining one or more geographical areas using a mapping engine."

In contrast, while Knauerhase provides a system for "automatically updating presence information," Knauerhase does not appear to provide, inter alia, the method of defining location-presence rules or pairs, including use of a mapping engine, as generally recited in the claims at issue. More particularly, while Knauerhase apparently makes use of locations such as a "theatre" or "restroom" (See FIG. 7), Knauerhase appears to require an address rather than allowing a user to make use of a mapping engine to define a geographical area, as generally recited in the claims at issue. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claim 6 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Knauerhase in view of Zmolek, U.S. Patent Publication No. 2003/0154293 ("Zmolek"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Knauerhase or Zmolek, either singly or in combination. Knauerhase has been discussed above. Zmolek is relied on merely for allegedly teaching using SIP to provide services. However, like Knauerhase, Zmolek fails to teach, inter alia, defining a geographical area for use in location-presence rules using a mapping engine. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 19-20, 22-23, and 25-32 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Knauerhase in view of Giniger et al., U.S. Patent No. 6,985,742 ("Giniger"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Knauerhase or Giniger, either singly or in combination. Knauerhase has been discussed above. Giniger is relied on for allegedly teaching providing position related information to mobile recipients. However, like Knauerhase,

Serial No.: 10/672,641

Attorney Docket No.: 2003P08214US

Giniger fails to teach, inter alia, defining a geographical area for use in location-presence rules using a mapping engine. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection

Claim 4 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Knauerhase in view of Miyamoto, U.S. Patent Publication No. 2003/0114171 A1 ("Miyamoto"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Knauerhase or Miyamoto, either singly or in combination. Knauerhase has been discussed above. Miyamoto is relied on for allegedly teaching using e-mail for position notification. However, like Knauerhase, Miyamoto fails to teach, inter alia, defining a geographical area for use in location-presence rules using a mapping engine. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

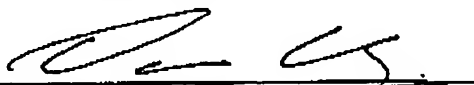
Claim 21 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Knauerhase in view of Giniger and Miyamoto. Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Knauerhase, Giniger, or Miyamoto, either singly or in combination. Each of these references has been discussed above. For similar reasons, Applicants respectfully submit that this claim, too, is allowable.

For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

Date: 24 July 06

Respectfully submitted,

SIEMENS CORPORATION
Customer Number: 28524
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830
ATTENTION: Elsa Keller, IP Department
Telephone: (732) 321-3026

By: 
David D. Chung
Registration No. 38,409
Attorney for Applicants
Tel: 650-694-5339
Fax: 650-968-4517